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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,926	12/27/2000	Takeshi Misawa	3562-0111P	3447

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BIRCH STEWART, KOLASCH & BIRCH, LLP
P.O. BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
HERNANDEZ, NELSON D	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,926	MISAWA ET AL.	
	Examiner	Art Unit	
	Nelson D. Hernandez	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03/19/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-14 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson, US Patent 6,154,210.

Regarding claim 1, Anderson discloses an input unit (Fig. 2A: 210) for inputting a user's instruction to an equipment (Figs. 2B and 3), comprising: a cross key (Fig. 9D, items 910a, 910b, 910c and 910d) having a crossing part; and a display (Fig. 8: 800; fig. 9D: 920) arranged to be wedged in said crossing part of said cross key (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Regarding claim 2, Anderson discloses that the cross key comprises switch portions (Fig. 9D, items 910a, 910b, 910c and 910d teaches the keys in a touch-screen), and said dot matrix display displays in the vicinity of said switch portions of said

cross key information related to functions assigned to said respective switch portions of said cross key (Col. 5, line 64 – col. 6, line 25; col. 7, lines 40-67; col. 8, lines 1-14).

Regarding claim 3, Anderson discloses that the dot matrix display further displays information related to an operation state of the equipment (col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14).

Regarding claim 5, Anderson discloses an input unit (Fig. 2A: 210) for inputting a user's equipment (Figs. 2B and 3), comprising: a display (Fig. 8: 800; fig. 9D: 920); and instruction to an a plurality of switch portions (Fig. 9D, items 910a, 910b, 910c and 910d) arranged in surroundings of said display at positions sandwiching said display so as to oppose each other, wherein said display displays in the vicinity said switch portions information related functions (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Regarding claim 6, Anderson discloses that the switch portions are respectively arranged at four positions including an upper, a lower, a right, and a left portion of said dot matrix display (See fig. 9D) (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4).

Regarding claim 7, Anderson discloses an input (Fig. 2A: 210) for inputting a user's instruction to an equipment (Figs. 2B and 3), comprising: a display (Fig. 8: 800; fig. 9D: 920); and a switch portion (Fig. 9D, items 910a, 910b, 910c and 910d) arranged

in surroundings of said display said switch portion is assigned with a plurality of functions including a function associated with a relative position with respect to said display (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Regarding claim 8, Anderson discloses an input unit (Fig. 2A: 210) for inputting a user's instruction to an equipment (Figs. 2B and 3), comprising: a display (Fig. 8: 800; fig. 9D: 920); and a plurality of switch portions (Fig. 9D, items 910a, 910b, 910c and 910d) arranged in surroundings of said display, and said switch portions respectively assigned with functions corresponding to relative positions of said plurality of switch portions with respect to said display (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Regarding claim 9, Anderson discloses an information recording apparatus (Figs. 2B and 3) for recording external information, including an input unit (Fig. 9D) for transmitting a user's instruction to said information recording apparatus, said input unit comprising a cross key (Fig. 9D, items 910a, 910b, 910c and 910d) and a display (Fig. 8: 800; fig. 9D: 920) arranged to be wedged in a crossing of said cross key (Col. 4, lines

38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Regarding claim 10, Anderson discloses that the dot matrix display displays information related to functions assigned to respective switch portions of said cross key in the vicinity of respective switch portions (Col. 5, line 64 – col. 6, line 25; col. 7, lines 40-67; col. 8, lines 1-14).

Regarding claim 11, Anderson discloses that the mode switch for setting an operation mode of said information recording apparatus, wherein said dot matrix display displays information related to said operation mode set by said mode switch (Col. 6, line 66 – col. 7, line 12).

Regarding claim 12, Anderson discloses that the display unit displaying said information, and said display unit are arranged on the same face of said information recording apparatus as each other (See fig. 2B and 8) (Col. 5, line 64 – col. 6, line 16).

Regarding claim 13, Anderson discloses the same as in claim 12. Therefore, grounds for rejecting claim 12 apply here.

Regarding claim 14, Anderson teaches that the input unit is arranged on a face of said information recording apparatus that faces a user when the user uses said information recording apparatus in such a manner that said input unit is positioned at an upper portion of a center of the face on a right side of the center (Fig. 8 teaches the

display at an upper portion of a center of the face on a right side of the center) (Col. 11, lines 34-40).

Regarding claim 17, Anderson discloses a digital camera (Figs. 2B and 3) for capturing an image, comprising: an image-capturing unit (Fig. 3: 114) operable to capture an image; capture controlling operable (Fig. 3: 344) control said image-capturing unit; processing unit (Fig. 3: 344) operable to process said image; and an operating unit (Fig. 2A: 210; fig. 3: 512) operable to transmit a user's instruction at least to said processing unit, said operating unit comprising a cross key (Fig. 9D, items 910a, 910b, 910c and 910d) and a display (Fig. 8: 800; fig. 9D: 920) arranged to be wedged in a crossing of said cross key (Col. 4, lines 38-57; col. 5, line 64 – col. 6, line 5; col. 7, lines 40-67; col. 8, lines 1-14; col. 11, line 41 – col. 12, line 4). Anderson inherently discloses the display as a dot matrix display by teaching that is also used for displaying images stored in memory and by teaching the different resolutions for the LCD screen (Col. 6, lines 36-48; col. 11, lines 41-62).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4, 15 and 16 are

4. Claims ~~4~~ is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson, US Patent 6,154,210 in view of Kojima, US 2002/0082080 A1.

Regarding claim 4, Anderson does not explicitly disclose that the background color of the dot matrix display is changed in accordance with an operation state of the equipment.

However, Kojima teaches an image processing method wherein the background color in a display unit (Fig. 1: 25) is changed according to an operation state of the equipment (Page 6, ¶ 0110).

Therefore, taking the combined teaching of Anderson in view of Kojima as a whole, it would have been obvious to ~~an~~ one of ordinary skill in the art at the time of the invention to change the color of the background according to an operation state of the equipment. The motivation to do so would help the user to be aware of the operation state of the equipment when using the input unit.

Regarding claim 15, Anderson does not explicitly disclose that the dot matrix display is arranged to have a plurality of background colors, and one of said plurality of background colors is selected in accordance with an operation mode of said information recording apparatus.

However, Kojima teaches an image processing method wherein the background color in a display unit (Fig. 1: 25) is changed according to an operation state of the equipment (Page 6, ¶ 0110).

Therefore, taking the combined teaching of Anderson in view of Kojima as a whole, it would have been obvious to ~~an~~ one of ordinary skill in the art at the time of the invention to change the color of the background according to an operation state of the

equipment. The motivation to do so would help the user to be aware of the operation state of the equipment when using the input unit.

Regarding claim 16, grounds for rejecting claim 15 apply here.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (703) 305-8717. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez
Examiner
Art Unit 2612

NDHH
September 13, 2004

NGOC-YEN VU
PRIMARY EXAMINER